UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/431,703	11/01/1999	STEVEN W. BROWN	APPL-P2822	9101

7590   07/07/2003

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EXAMINER
PARK, ILWOO

ART UNIT	PAPER NUMBER
2182	

DATE MAILED: 07/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _30 May 2003_ .

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under _Ex parte Quayle_, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _10-31_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _10-31_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____ .

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

5/30/2003 has been entered.

2.   Claims 10-31 are presented for examination.

3.   Shima et al and Levy et al were cited as prior art in the previous office action.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act

of 1999 (AIPA) and the Intellectual Property and High Technology Technical

Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting

directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior

to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5.   Claims 10-13, 15-17, 21-24, and 26-28 are rejected under 35 U.S.C. 102(e) as

being anticipated by Shima et al., US patent No. 6,446,142.

As to claims 10 and 21, Shima et al teach a method for providing a transaction

layer [fig. 1] for a module having at least one node connected to a serial bus that

configures a link device for each of said at least one nodes comprising:

detecting [e.g., from a library of objects in col. 3, lines 13-20, from a device within

a network in col. 3, lines 34-40, or from a library of subobjects in col. 3, lines 58-61] a

link driver [object/subobject];

receiving [e.g., from a library of objects in col. 3, lines 15-17, from a self-

identifying process in col. 3, lines 38-40, or from a library of subobjects in col. 3, lines

61-63] capabilities [col. 2, lines 33-39] of said link driver;

generating [col. 3, lines 41-42; col. 4, lines 1-31] a link driver configuration

[object] for said link driver from said capabilities of said driver; and

loading [col. 3, lines 33-37; col. 4, lines 1-31] said link driver configuration into

said link driver.

6.   As to claims 11 and 22, Shima et al teach querying [col. 6, lines 21-25] said link

driver for said capabilities.

7.   As to claims 12 and 23, Shima et al teach receiving said capabilities of said link

driver from said link driver [col. 4, lines 7-9; col. 4, lines 21-23].

8.   As to claims 13 and 24, Shima et al teach storing said capabilities of said link

driver [col. 4, lines 18-19].

9.   As to claims 15 and 26, Shima et al teach receiving configuration information for

said link driver [col. 4, lines 7-9; col. 4, lines 21-23].

10.   As to claims 16 and 27, Shima et al teach generating said link driver

configuration from [col. 4, lines 7-9; col. 4, lines 21-23] said capabilities and said

configuration information.

11.   As to claims 17 and 28, Shima et al teach storing said configuration data [col. 4,

lines 18-19].

12.   Claims 10-13, 15-17, 21-24, and 26-28 are rejected under 35 U.S.C. 102(e) as

being anticipated by Hyder et al., US patent No. 6,253,255.

As to claims 10 and 21, Hyder et al teach a method for providing a transaction

layer for a module having at least one node connected to a serial bus that configures a

link device for each of said at least one nodes comprising:

detecting [col. 4, lines 5-9; col. 7, lines 7-9] a link driver;

receiving [col. 4, lines 42-44; col. 11, lines 37-41 and a signal arrow from ref. No. 304 to ref. No. 364 in fig. 5] capabilities of said link driver;

generating [by incorporating capability information in col. 8, lines 13-22] a link driver configuration [varying capabilities] for said link driver from said capabilities of said driver; and

loading [col. 8, lines 13-22 and a signal arrow from ref. No. 364 to ref. No. 304 in fig. 5] said link driver configuration into said link driver.

13.   As to claims 11 and 22, Hyder et al teach querying [col. 10, lines 60-64] said link driver for said capabilities.

14.   As to claims 12 and 23, Hyder et al teach receiving said capabilities of said link driver from said link driver [col. 10, lines 60-64].

15.   As to claims 13 and 24, Hyder et al teach storing said capabilities of said link driver [col. 11, lines 37-41].

16.   As to claims 15 and 26, Hyder et al teach receiving configuration information for said link driver [col. 10, lines 60-64].

17.   As to claims 16 and 27, Hyder et al teach generating [by incorporating capability information in col. 8, lines 13-22] said link driver configuration from said capabilities and said configuration information.

18.   As to claims 17 and 28, Hyder et al teach storing said configuration data [col. 11, lines 37-41].

Claim Rejections - 35 USC § 103

19.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

20.   Claims 14, 18, 25, and 29 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Shima et al., US patent No. 6,446,142.

As to claims 14 and 25, Shima et al teach generating a node in a list for said link

driver and storing said capabilities of said link driver in a data field of said node. Shima

et al do not show the list is in a form of linked list. However, Shima et al teach a linked

list form [P1394 standard draft 8.0v2 in col. 1, lines 15-20 disclosing a configuration

ROM storing entries for node capabilities within a root directory providing a pointer to

another directory which has same structure as the root directory].

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to have a form of linked list for storing said capabilities for

easiness of managing a node by a pointer [col. 6, lines 15-20].

21.   Claims 19, 20, 30, and 31 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Shima et al. as applied to claims 10 and 21 above, and further in

view of Levy et al., US patent No. 6,212,633.

As to claims 19, 20, 30, and 31, Shima et al. do not disclose receiving an input of

user defined configuration data for a link driver.

Levy et al teach a method for configuring a link device of a P1394 serial bus

based on capabilities [col. 9, lines 10-26] of a link driver and an input of user defined

configuration data received [col. 10, lines 43-55].

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to combine the teachings of Shima et al and Levy et al

because they both teach configuring a link device of a P1394 serial bus based on

capabilities and Levy et al's teaching of receiving an input of user defined configuration

data for a link driver would increase flexibility/user friendliness in dynamically

configuring a link device of Shima et al.

Conclusion

22.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Ilwoo Park whose telephone number is (703) 308-7811.

The examiner can normally be reached on Monday through Friday from 9:00 AM to 5:30

PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jeffrey A Gaffin can be reached on (703) 308-3301. The fax phone numbers

for the organization where this application or proceeding is assigned are (703) 746-7239

for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (703) 305-

3900.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal

Drive, Arlington. VA, 4th Floor (Receptionist)

Ilwoo Park

June 27, 2003